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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN CARLOS URIAS TORRES,

Defendant.

CASE NO. 1:23-CR-00099-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: September 20, 2023
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on September 20, 2023.
2. By this stipulation, defendant now moves to continue the status conference until December 6, 2023, at 1:00 P.M. and to exclude time between September 20, 2023, and December 6, 2023, inclusive.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The discovery associated with this case includes investigative reports and photographs. All this discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Mr. Urias Torres is charged in a "complex" "related case" *United States v. Leiva-Leiva et al*, (1:22-cr-232) and wishes for the above-captioned case to trail that case, which is also

set for a status conference on December 6, 2023.

c) Counsel for defendant desires additional time to consult with his/her client, conduct investigation, review the voluminous discovery, and prepare for a possible trial.

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of September 20, 2023 to December 6, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because the continuance results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 29, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ Justin J. Gilio
JUSTIN J. GILIO
Assistant United States Attorney

1 Dated: August 29, 2023

/s/ Adilene Flores Estrada

Adilene Flores Estrada
Counsel for Defendant
Juan Carlos Urias Torres

9 **ORDER**

10 IT IS SO ORDERED.

11
12 DATED: 8/30/2023

Sheila K. Oberto

THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE